

SENATE BILL 1397

By Swann

AN ACT to amend Tennessee Code Annotated, Title 56,  
Chapter 7, relative to pharmacy benefits.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 56-7-3201, is amended by adding the following as new subdivisions:

( ) "Cost sharing requirement" means a copayment, coinsurance, deductible, or annual limitation on cost sharing, including, but not limited to, a limitation subject to 42 U.S.C. §§ 18022(c) and 300gg-6(b), required by, or on behalf of, an enrollee in order to receive a specific healthcare service covered by a health plan, including a prescription drug, whether under the medical or the pharmacy benefit;

( ) "Healthcare service" means healthcare procedures, treatments, or services provided by a facility licensed in this state or provided by a healthcare professional licensed in this state pursuant to title 63;

( ) "Health plan" means health insurance coverage as defined in § 56-7-109;

( ) "Prescription drug" means a drug that under federal or state law is required to be dispensed only pursuant to a prescription order or is restricted to use by individuals authorized by law to prescribe drugs;

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 7, Part 32, is amended by adding the following as a new section:

When calculating an enrollee's contribution to an applicable cost sharing requirement, an insurer shall include cost sharing amounts paid by the enrollee or on behalf of the enrollee by another person.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it, and applies to health plans entered into, executed, issued, amended, delivered, or renewed on or after that date.